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FACULTY OF LAW

DEPARTMENT: PENAL LAW

MASTER STUDIES

THEME:

DETECTION AND FIXATION OF TRACKS FROM THE CRIME SCENE

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Content

Introduction

First Chapter

The crime scene values for revealing the perpetrators of crime

Notion and tasks of examination of the crime scene

Preparation for the examination of the crime scene

Preparatory measures when the proceeding authority is reported that it has been committed the criminal offense

Taking measures for preservation of the crime scene

Verification of the technical and scientific means whether they are on standby

Assignment of persons who will participate in the examination

Second Chapter

Methods and organization in the examination of the crime scene

Tactical method of the crime scene examination

Speed of the organization and development of the crime scene examination

Organization of the crime scene examination

Static and dynamic examination of the crime scene

Development of a full crime scene examination

Establishment and verification of investigative versions in the crime scene examination

Third Chapter

Detection and fixation of tracks from the scene

Criminalistics methods for the fixation of results of the crime scene examination

Record of the crime scene examination

Photographing the crime scene

Plan of the crime scene

Fourth Chapter

Criminalistics tracks in the crime scene

Types of tracks in the crime scene

Biological tracks, their division and value in revealing the perpetrators

Ballistic tracks and the way of examination

Tracks in traffic accidents

Tracks in terrorist acts committed with explosive means

Conclusion

Literature

Introduction

One of the first actions that the investigation team does during the investigation of a case, definitely is detection and fixation of tracks on the crime scene. This action is considered as more important because at this stage of investigations, investigators of the case collect tracks and material evidences found on the scene. Anyway this requires commitment and a professional and well trained staff which efficiently performs its affairs. In general, democratic societies are exposed in front of the crime continuously as a result of the human society development and in addition, the development that is increasing with crime in general. Since it is like that, then this phenomenon it is definitely negative, therefore it must be fought with sophisticated means and scientific methods, which make this combat easier in terms of victory and more successful in terms of professional preparation of the staff and personnel which deals with combating these negative phenomena. So from here the method of detection and fixation of tracks on the crime scene starts with searching, finding, fixing, measuring, photographing, obtaining, examination and in the end the presentation in the court of all that work which undoubtedly sometimes it is quite hard and tiring, but when we consider the purpose of all this work of all investigative groups, all this effort and tiredness at the end will pay off with the great result, which is tracking and apprehending of all those who commit crimes and this is enabled by the work of the investigative group that deals with the examination of the crime scene, but without forgetting in any moment the commitment of other teams that are included in this process, as it is the work of teams of the crime scene examination which also is one of the primary tasks and the most essential.

Purpose of this paper

The reasons for the study of detection methods and fixation of tracks on the crime scene are numerous and various. But the main reason lies in the importance that these evidences have for the clarification of the specific offense. Multiple criminalists in the context of their studies have addressed the issue of crime scene. In this aspect, they have done a lot for the understanding of the crime scene and especially the evidences that remain of the criminal offense and the perpetrator. All authors agree that the scene is the place where it is committed the criminal offense, and all also agree that the importance of this environment is one of the most crucial for a fair and legitimate decision regarding the criminal offense and its perpetrator.

Objectives

Among authors the criminal legislation pays great importance to the criminal scene as well. So there is no country that with its regulative does not address crucial issues related to the crime scene. Considering the importance that the crime scene has, many criminalists and authors of the criminalistics branch have also dealt with addressing tactical aspects of the examination of the crime scene. During the addressing of these aspects all require that in the making of responsible recommendations we must be careful that the same to not conflict with the legal regulation.

Importance of the theme

The reasons for the study of detection methods and fixation of tracks on the crime scene are related to the fact that in the environment of the crime commitment are found many material evidences which if achieved to be stored, provided and received and processed with professionalism they constitute the most powerful weapon of the court that the concrete criminal case to ensure the right decision.

Methodology

During the study of the scene I have used this scientific methods:

- a) Legal Method: Through the application of this method it is achieved to be given the definition which the legislator has given to the crime scene with the legislation in force, role that it intends to clarify the criminal case etc.

Conclusion

During the study of the “Detection and fixation of tracks from the crime scene” I came to these conclusions:

1. The crime scene represents the environment of the criminal offense. In accordance with the criminal legislation, the place of the criminal offence it may be the place where action was taken and where the consequences were caused.
2. The crime scene constitutes the most important investigative action which must be performed by the relevant investigative authorities in order to obtain the material evidences. The importance of this investigative action is crucial for the fact that the

court of this issue acquires the truth regarding the criminal issue through evidences that are provided from the crime scene.

3. The crime scene constitutes an investigative action, the most important but also urgent. This means that during the examination of the crime scene should be included the professional team which has the right knowledge and experience to find, fix, provide and exam the tracks and other material evidences, and must be operated quickly in order to prevent the damage of those evidences by humans (intentionally or without) and other atmospheric factors.
4. During the examination of crime scene, legal solutions in force should be implemented strictly, as well as the tactical progressive recommendation which guarantee effectiveness, legality and objective approach during every initiative of this investigative action.
5. It would be opportune that when applying the examination of the crime scene in charge of the investigative team always to be the state prosecutor. This is due to the fact that he is the authority that monitors the investigations and that he is the authority that has the legal knowledge so necessary for the implementation of an examination as professional as possible.
6. During the examination of the crime scene should be considered the stratagems which culprits may use to lead the investigation in a wrong way. This means that the team of the examination of the crime scene besides dealing with the detection side of what relates with the criminal offence, should also deal with what can be set in function of preventing to solve the case.
7. Between the members of the investigative team should exist a coherent and very constructive cooperation. The experience shows that in every case this kind of cooperation has lacked, problems in clarifying the circumstances related with the environment of criminal offense have been continuously evident.
8. The court should support its decision only on the basis of clear evidence and obtained legally, otherwise every decision based on partial evidences or the evidences obtained and presented contrary to legal norms, constitutes a procedural violation and is a sufficient basis for the use of remedies to oppose such decisions.
9. Search and detection of criminal offense tracks, the collection of material evidences in the process of the crime scene examination, using criminalistics methods and means is one aspect of this matter. The other aspect not less important is fixing the results which are obtained in this process. So, except the examination, identification and obtaining the material evidences it is very important their fixation and documentation as well, which is mainly done in some ways. Documentation is done through the record of the crime scene, diagramming and photographing the crime scene.
10. The results derived from the autopsy are very important for detecting the way a person's death, kind of death, used means in case of his death, time of death, which injuries are caused while he was still alive and which after he died, the presence of alcohol in blood, narcotic or psychotropic substances, toxic substances and many other important information, which should be used by the judging court as very

important material evidences in the criminal procedure with the main purpose of detection and punishment of the perpetrators of that crime.

Investigation of the crime scene is a very powerful mean for collecting tracks and material evidences, in order to provide final solutions to the problem that what event has occurred.